

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA  
3

4 BANK OF NEW YORK MELLON, )

Case No. 2:16-cv-01177-JCM-CWH

5 Plaintiff, )

6 v. )

7 SOUTHERN HIGHLANDS COMMUNITY )  
8 ASSOCIATION, et al, )

**ORDER**

9 Defendants. )  
\_\_\_\_\_ )

10 Presently before the Court is Defendant's motion to stay (ECF No. 56), filed on March 31,  
11 2017. Plaintiff filed a response (ECF No. 64) on April 14, 2017, and Defendant filed a reply (ECF  
12 No. 66) on April 21, 2017. Defendant seeks a stay of proceedings pending resolution of the Supreme  
13 Court's resolution of the *Bourne Valley Court Trust v. Wells Fargo Bank*, 832 F.3d 1154 (9<sup>th</sup> Cir.  
14 2016). Since this motion was filed, the Supreme Court has denied *certiorari* in *Bourne*, so the  
15 motion is now moot.

16 Also before the Court is Plaintiff's motion for protective order (ECF No. 45), filed on March  
17 17, 2017. Defendant filed a combined response (ECF No. 55) and countermotion to compel (ECF  
18 No. 54) on March 31, 2017. Plaintiff filed a combined response (ECF No. 63) and reply (ECF No.  
19 62) on April 14, 2017. Defendant filed a reply (ECF No. 66) on April 21, 2017.

20 The parties dispute the proper scope of a number of proposed topics for Defendant's 30(b)(6)  
21 deposition topics. However, on July 3, 2017, this Court issued an order (ECF No. 72), granting in  
22 part Defendant's motion to dismiss (ECF No. 43). Based on this order, a number of Plaintiff's  
23 claims were dismissed from the case, so it is not clear to what extent the disputed deposition topics  
24 from the parties' motion for protective order and countermotion to compel are still relevant.

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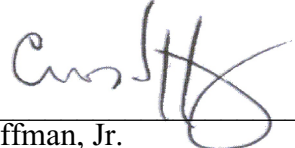
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1 IT IS THEREFORE ORDERED that, no later than August 24, 2017, the parties shall meet  
2 and confer and file a joint status report with the Court as to what extent the disputed deposition  
3 requests from their motion for protective order (ECF No. 45) and motion to compel (ECF No. 54)  
4 are still relevant in light of the dismissed claims, and the denial of *certiorari* in *Bourne*.

5 IT IS FURTHER ORDERED that Defendant's motion to stay (ECF No. 56) is DENIED as  
6 moot.

7 DATED: August 3, 2017

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11 C.W. Hoffman, Jr.  
12 United States Magistrate Judge  
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